

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

<p>JUAN IBN-DON MUMIT TURNER,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>STEVEN JOHNSON, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">Civil Action No. 17-00541 (GC) (TJB)</p> <p style="text-align: center;"><u>MEMORANDUM ORDER</u></p>
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THIS MATTER comes before the Court upon Plaintiff’s letter requesting the Court to transfer Plaintiff from the New Jersey State Prison (NJSP). (ECF No. 168.) On August 15, 2023, Plaintiff filed a motion for leave to file an amended complaint and to transfer from NJSP to Rahway State Prison. (ECF No. 142.) Plaintiff was granted leave to file an amended complaint (docket entry dated October 18, 2023), but Plaintiff advises that “the motion to transfer has not yet been decided.” (ECF No. 168.)

Plaintiff previously moved to transfer to East Jersey State Prison in Rahway, New Jersey. (ECF No. 61.) The Court denied the motion, holding that the “Constitution does not . . . guarantee that the convicted prisoner will be placed in any particular prison, if, as is likely, the State has more than one correctional institution. (ECF No. 68 at 1-2 (citing *Meachum v. Fano*, 427 U.S. 215, 224 (1976).) Ordinarily, the federal courts do not sit to supervise State prisons, especially for transfers requested by inmates. *See Gibson v. Lynch*, 652 F.2d 348, 354 (3d Cir. 1981). The United States Supreme Court has held that an inmate has no due process right to be incarcerated in a particular institution whether it be inside the state of conviction, or outside that state. *Olim v. Wakinekona*, 461 U.S. 238, 251 (1983).

Here, Plaintiff appears to seek a court-ordered transfer as equitable relief from unconstitutional conditions of confinement, but Plaintiff has not provided a basis for the Court to impose this preliminary injunctive relief. Moreover, Plaintiff has not asked for a transfer as a form of injunctive relief in his latest amended complaint. Plaintiff's request is grounded in the same allegations that form the basis of his claims, which Defendants deny in their pending motions to dismiss and for summary judgment. (ECF Nos. 163, 165.) For these reasons, Plaintiff's request for transfer is denied without prejudice.

IT IS on this 3rd day of October 2024, **ORDERED** as follows:

1. Plaintiff's motion to transfer is **DENIED** without prejudice.

A handwritten signature in black ink, reading "Georgette Castner", is positioned above a horizontal line.

GEORGETTE CASTNER
UNITED STATES DISTRICT JUDGE